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September 21, 2009

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FILED

SEP 22 2009

VIA FACSIMILE

The Honorable James Larson
U. S. District Court, Northern District
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

E-filing

RE: National Railroad Passenger Corporation v. Abdulhakim Saleh Ali Yafai
US District Court, Northern District, San Francisco Case No. CV09-2749 JL
Our File No.: 13249-38999

Dear Judge Larson:

We represent defendant National Railroad Passenger Corporation. We write to request the Case Management Conference and related deadlines to be continued for approximately 60 days.

A related case in this action is *Yafai v. Amtrak*, United States District Court, Northern District, San Francisco, Case No.: C08-05715 EDL. Judge Laporte recently granted our Motion to Dismiss in that case.

Because of our success in the Motion to Dismiss, we are willing to settle the case at hand for a nominal amount once we are assured that there is no appeal from the case before Judge Laporte. As the court knows, Mr. Yafai has 30 days to appeal the court's order on the Motion to Dismiss. We will also require additional time to enter into settlement negotiations in this case. Accordingly, we request the court to reschedule the case management deadlines to the following dates:

- | | |
|-----------------------------------|------------------------|
| • Joint Case Management Statement | 11/18/09 |
| • Case Management Conference | 11/25/09 at 10:30 a.m. |
| • Initial Disclosures | 11/25/09 |

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Please feel free to contact me should you have any questions or concerns.

Very truly yours,

LOMBARDI, LOPER & CONANT, LLP

By: _____


Liza Siu Mendoza

Cc: Fred Patterson
Fax: 510-337-0125

The Case Management Conference is continued
to November 25, 2009 at 10:30 a.m.

SO ORDERED


JAMES LARSON
U.S. MAGISTRATE JUDGE